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U.S. PTO

PTO/SB/05 (08-03)

Approved for use through 07/31/2006, OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 678-1336 (P11770)

First Inventor Young-Bum KIM

Title APPARATUS AND METHOD FOR .....

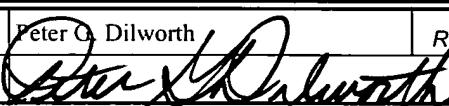
Express Mail Label No. EL 995744730 US

U.S.P.T.O.  
22141 10/17/07

<b>APPLICATION ELEMENTS</b>		<b>ADDRESS TO:</b>	
See MPEP chapter 600 concerning utility patent application contents.		Mail Stop Patent Application Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>	
3. <input checked="" type="checkbox"/> Specification [Total Pages 48] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings <i>(if filed)</i></li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>		a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> c. <input type="checkbox"/> Statements verifying identity of above copies	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [ Total Sheets 9 ]		9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
5. Oath or Declaration [ Total Pages ]		10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of <i>(when there is an assignee)</i> <input type="checkbox"/> Attorney	
a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for continuation/divisional with Box 18 completed)</i>		11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>	
i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).		12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS 13. <input type="checkbox"/> Preliminary Amendment	
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:		15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
<input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)		16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
Prior application information: Examiner _____		17. <input checked="" type="checkbox"/> Other: Check for \$1,410.00	

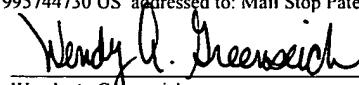
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label <i>(Insert Customer No. or Attach bar code label here.)</i>		or <input checked="" type="checkbox"/> Correspondence address below	
Name Peter G. Dilworth		State New York	
Address DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd.		Zip Code 11553	
City Uniondale		Telephone (516) 228-8484	
Country U.S.A		Fax (516) 228-8516	
Name (Print/Type) Peter G. Dilworth		Registration No. (Attorney/Agent) 26,450	
Signature 		Date 01/02/04	

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 995744730 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 2, 2004

  
Wendy A. Greenreich

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,410.00)

## Complete if Known

Application Number	not yet assigned
Filing Date	herewith
First Named Inventor	Young-Bum KIM
Examiner Name	not yet known
Art Unit	not yet assigned
Attorney Docket No.	678-1336 (P11770)

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	04-1121
Deposit Account Name	Dilworth & Barrese LLP

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
 

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00		
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1)				(\$ 770.00)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	46	-20** = 26	x 18.00	= 468.00
Independent Claims	5	-3** = 2	x 86.00	= 172.00
Multiple Dependent				

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 640.00)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

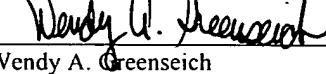
(Complete if applicable)

Name (Print/Type)	Peter G. Dilworth	Registration No. (Attorney/Agent)	26,450	Telephone	(516) 228-8484
Signature				Date	01/02/04

## CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 995744730 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 2, 2004



Wendy A. Greenreich

PATENT  
Atty. Docket No. 678-1336 (P11770)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. §1.76**

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Young-Bum KIM, Ju-Ho LEE and Sung-Ho CHOI

For: **APPARATUS AND METHOD FOR TRANSMITTING/RECEIVING UPLINK  
DATA RETRANSMISSION REQUEST IN A CDMA COMMUNICATION  
SYSTEM**

Enclosed are:

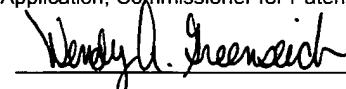
31 page(s) of specification  
 1 page(s) of Abstract  
 16 page(s) of claims  
 9 sheets of drawings  formal  informal  
 \_\_\_\_\_ page(s) of Declaration and Power of Attorney

ASSIGNEE NAME: SAMSUNG ELECTRONICS CO., LTD.

ASSIGNEE RESIDENCE: GYEONGGI-DO, KOREA

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date January 2, 2004 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 995744730 US, addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Wendy A. Greenseich

**Atty. Docket No. 678-1336 (P11770)**

This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

\_\_\_\_\_

\_\_\_\_\_

Certified copy of application

<u>Country</u>	<u>Appln. No.</u>	<u>Filed</u>
Korea	462/2003	January 4, 2003

from which priority under Title 35 United States Code, § 119 is claimed

is enclosed.

will follow.

**CALCULATION OF UTILITY APPLICATION FEE**

For	Number Filed	Number Extra	Rate	Basic Fee \$770.00
TOTAL CLAIMS	46	26	x 18 =	\$468.00
INDEPENDENT CLAIMS	5	2	x 86 =	\$172.00
[ ] Multiple Dep. Claim			290	\$0.00
			<b>TOTAL \$1,410.00</b>	

Verified Statement of "Small Entity" Status Under 37 C.F.R. § 1.27. Reduced fees under 37 C.F.R. § 1.9(f) (50% of total) paid herewith \$.

Atty. Docket No. 678-1336 (P11770)

The amount of \$40.00 for recording the attached Assignment is enclosed as a separate check.

Check(s) in the amount of \$1,410.00 to cover the filing fee is attached.

Charge fee to Deposit Account No. 04-1121.  
**TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,



Peter G. Dilworth  
Reg. No. 26,450  
Attorney for Applicant

Date: January 2, 2004

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